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KTXN-FM

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Serving South Texas Since 1965

98.7 FM Stereo

THE ALTERNATIVE

FCC MAIL ROOM

C O M M E N T S

Before the
Federal Communications Commission
Washington, D.C., 20554

In the Matter of

1998 Biennial Regulatory Review --
Streamlining of Radio Technical Rules in
Parts 73 and 74 of the Commission's Rules

MM Docket No; 98-93

NOTICE OF PROPOSED RULE MAKING
AND ORDER

Adopted: June 11, 1998

Released: June 15, 1998

by the Commission: Commissioner Furchtgott-Roth issuing a statement.

1. COMES NOW COSMOPOLITAN ENTERPRISES OF VICTORIA, INC., licensee of Radio Station KTXN-FM, and John J. (Joe) Tibiletti, its President and chief stockholder, individually in comment on the above captioned Mass Media Bureau Docket.

2. Comment shall be directed at specific paragraphs in original document wherever possible and its shall be noted herein.

3. COSMOPOLITAN/TIBILETTI, the commentator, is against any negotiated interference in the frequency modulation band (87.9-107.9 megahertz). This is to be considered as answer to any and all pro-

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-2-

posals in this or any other docket. After going through the horrors of the permissive 10% rule -- allowing interference to ten per cent of the population within the protected .5 mv/m contour of a standard broadcast (AM) radio station coverage area and the derogation of service and the incredible noise that has resulted on radios, the subsequent action by the National Association of Broadcasters that resulted in a birth control of radio stations and a strict go-no-go policy of application acceptance with prohibited contour protection and spending thousands of dollars on a hearing -- Edna, Texas, Cosmopolitan Enterprises, Inc (1130 kilohertz, 10 kw, daytime, directional).

4. The situation centered around the existing KWKH, Shreveport, Louisiana protection to a level of signal that could not be heard on most radios. The state of development of interference equal to this can easily be reached on FM and the commission was of concern to the industry previously. This should not be allowed to happen under any circumstances. Listeners do not understand percentage of interference, etc. Further FM is already too crowded and with the IBOC and low power dockets (RM-9242) this would vitiate any gains to be achieved.

5. Petitioner station KTXN-FM is totally against the re-classifications of class C stations based upon antenna height for this will be allowing numerous stations on the dial that has already seen a crowd added to the industry and numerous stations not financially feasible.

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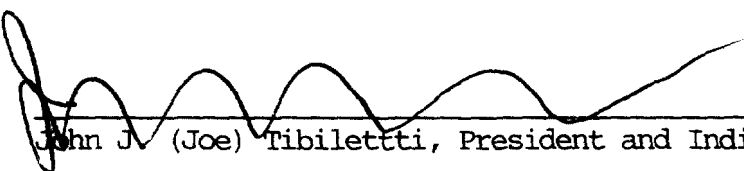
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-3-

6. A factor not taken into account is the matter of displacement from existing towers by new digital television stations and the problems of finding new tower space by FM radio stations. It has been discussed in many trade press that there is a shortage of tower crews for the construction of the new towers required for the television alone, without the concern for FM stations.

7. For these reasons Petitioner requests that the Commission not act on this docket and the matters contained herein until the considerations that have been mentioned be resolved.

SUBMITTED, COSMOPOLITAN ENTERPRISES OF VICTORIA, INC., licensee of Radio Station, KTXN-FM, Victoria, Texas, and John J. (Joe) Tibiletti.



John J. (Joe) Tibiletti, President and Individually